

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA : Criminal No. 1:02-cr-00156(2)
Civil No. 1:04-cv-00613

Plaintiff :
Senior Judge S. Arthur
Spiegel

vs.

ORDER

MATTHEW MARK JORDAN :

Defendant, :

This matter is before the Court on Defendant's Motion to Continue Time to File Reply Memorandum in Support of Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 U.S.C. § 2255 (doc. 102). This motion is unopposed by Counsel for the United States.

The Defendant filed his Motion to Vacate on September 8, 2004 (doc. 78). The Court appointed the Federal Public Defender to represent the Defendant in these proceedings on October 12, 2004 (doc. 91). The United States then filed their Response to the Motion to Vacate on December 8, 2004 (doc. 100). Counsel for Defendant now requests a two to three month extension of time to file his Reply Memorandum in Support, in order to provide adequate time to address the issues presented in this case. Counsel for Defendant indicates that he has only had one brief remote consultation by telephone with the Defendant in which procedural

matters, not substantive matters, were discussed.

Having reviewed this matter, the Court finds Defendant's Motion to be well-taken. Accordingly, Defendant's Motion to Continue (doc. 102) is hereby GRANTED. Defendant shall file his Reply Memorandum in Support of the Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 no later than February 28, 2005.

IT IS SO ORDERED.

Date: December 27, 2004

s/S. Arthur Spiegel
S. Arthur Spiegel
United States Senior District Judge